

## GENERAL LEAVE

Mr. LoBIONDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1098.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

□ 1100

## COAST GUARD PERSONNEL AND MARITIME SAFETY ACT OF 2001

Mr. LoBIONDO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1099) to make changes in laws governing Coast Guard personnel, increase marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes.

The Clerk read as follows:

H. R. 1099

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Coast Guard Personnel and Maritime Safety Act of 2001".

## SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

## TITLE I—PERSONNEL MANAGEMENT

Sec. 101. Coast Guard band director rank.

Sec. 102. Compensatory absence for isolated duty.

Sec. 103. Accelerated promotion of certain Coast Guard officers.

## TITLE II—MARINE SAFETY

Sec. 201. Extension of Territorial Sea for Vessel Bridge-to-Bridge Radiotelephone Act.

Sec. 202. Preservation of certain reporting requirements.

Sec. 203. Oil Spill Liability Trust Fund; emergency fund borrowing authority.

Sec. 204. Merchant mariner documentation requirements.

Sec. 205. Penalties for negligent operations and interfering with safe operation.

## TITLE III—RENEWAL OF ADVISORY GROUPS

Sec. 301. Commercial Fishing Industry Vessel Advisory Committee.

Sec. 302. Houston-Galveston Navigation Safety Advisory Committee.

Sec. 303. Lower Mississippi River Waterway Advisory Committee.

Sec. 304. Navigation Safety Advisory Council.

Sec. 305. National boating safety advisory council.

Sec. 306. Towing Safety Advisory Committee.

## TITLE IV—MISCELLANEOUS

Sec. 401. Patrol craft.

Sec. 402. Clarification of Coast Guard authority to control vessels in territorial waters of the United States.

Sec. 403. Caribbean support tender.

Sec. 404. Prohibition of new maritime user fees.

Sec. 405. Great Lakes lighthouses.

Sec. 406. Coast Guard report on implementation of NTSB recommendations.

Sec. 407. Conveyance of Coast Guard property in Portland, Maine.

Sec. 408. Harbor safety committees.

Sec. 409. Miscellaneous conveyances.

Sec. 410. Partnerships for performance of work at Coast Guard Yard.

Sec. 411. Boating safety.

## TITLE I—PERSONNEL MANAGEMENT

## SEC. 101. COAST GUARD BAND DIRECTOR RANK.

Section 336(d) of title 14, United States Code, is amended by striking "commander" and inserting "captain".

## SEC. 102. COMPENSATORY ABSENCE FOR ISOLATED DUTY.

(a) IN GENERAL.—Section 511 of title 14, United States Code, is amended to read as follows:

## "§ 511. Compensatory absence from duty for military personnel at isolated duty stations

"The Secretary may grant compensatory absence from duty to military personnel of the Coast Guard serving at isolated duty stations of the Coast Guard when conditions of duty result in confinement because of isolation or in long periods of continuous duty."

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 13 of title 14, United States Code, is amended by striking the item relating to section 511 and inserting the following:

"511. Compensatory absence from duty for military personnel at isolated duty stations."

## SEC. 103. ACCELERATED PROMOTION OF CERTAIN COAST GUARD OFFICERS.

Title 14, United States Code, is amended—(1) in section 259, by adding at the end a new subsection (c) to read as follows:

"(c)(1) After selecting the officers to be recommended for promotion, a selection board may recommend officers of particular merit, from among those officers chosen for promotion, to be placed at the top of the list of selectees promulgated by the Secretary under section 271(a) of this title. The number of officers that a board may recommend to be placed at the top of the list of selectees may not exceed the percentages set forth in subsection (b) unless such a percentage is a number less than one, in which case the board may recommend one officer for such placement. No officer may be recommended to be placed at the top of the list of selectees unless he or she receives the recommendation of at least a majority of the members of a board composed of five members, or at least two-thirds of the members of a board composed of more than five members.

"(2) The Secretary shall conduct a survey of the Coast Guard officer corps to determine if implementation of this subsection will improve Coast Guard officer retention. A selection board may not make any recommendation under this subsection before the date on which the Secretary publishes a finding, based upon the results of the survey, that implementation of this subsection will improve Coast Guard officer retention.

"(3) The Secretary shall submit any finding made by the Secretary pursuant to paragraph (2) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate."

(2) in section 260(a), by inserting "and the names of those officers recommended to be advanced to the top of the list of selectees established by the Secretary under section 271(a) of this title" after "promotion"; and

(3) in section 271(a), by inserting at the end thereof the following: "The names of all offi-

cers approved by the President and recommended by the board to be placed at the top of the list of selectees shall be placed at the top of the list of selectees in the order of seniority on the active duty promotion list."

## TITLE II—MARINE SAFETY

## SEC. 201. EXTENSION OF TERRITORIAL SEA FOR VESSEL BRIDGE-TO-BRIDGE RADIO-TELEPHONE ACT.

Section 4(b) of the Vessel Bridge-to-Bridge Radiotelephone Act (33 U.S.C. 1203(b)), is amended by striking "United States inside the lines established pursuant to section 2 of the Act of February 19, 1895 (28 Stat. 672), as amended," and inserting "United States, which includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988."

## SEC. 202. PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.

Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) COAST GUARD OPERATIONS AND EXPENDITURES.—Section 651 of title 14, United States Code.

(2) SUMMARY OF MARINE CASUALTIES REPORTED DURING PRIOR FISCAL YEAR.—Section 6307(c) of title 46, United States Code.

(3) USER FEE ACTIVITIES AND AMOUNTS.—Section 664 of title 46, United States Code.

(4) CONDITIONS OF PUBLIC PORTS OF THE UNITED STATES.—Section 308(c) of title 49, United States Code.

(5) ACTIVITIES OF FEDERAL MARITIME COMMISSION.—Section 208 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1118).

(6) ACTIVITIES OF INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.—Section 7001(e) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(e)).

## SEC. 203. OIL SPILL LIABILITY TRUST FUND; EMERGENCY FUND BORROWING AUTHORITY.

Section 6002(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2752(b)) is amended after the first sentence by inserting "To the extent that such amount is not adequate for removal of a discharge or the mitigation or prevention of a substantial threat of a discharge, the Coast Guard may borrow from the Fund such sums as may be necessary, up to a maximum of \$100,000,000, and within 30 days shall notify Congress of the amount borrowed and the facts and circumstances necessitating the loan. Amounts borrowed shall be repaid to the Fund when, and to the extent that removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge."

## SEC. 204. MERCHANT MARINER DOCUMENTATION REQUIREMENTS.

(a) INTERIM MERCHANT MARINERS' DOCUMENTS.—Section 7302 of title 46, United States Code, is amended—

(1) by striking "A" in subsection (f) and inserting "Except as provided in subsection (g), a"; and

(2) by adding at the end the following:

"(g)(1) The Secretary may, pending receipt and review of information required under subsections (c) and (d), immediately issue an interim merchant mariner's document valid for a period not to exceed 120 days, to—

"(A) an individual to be employed as gaming personnel, entertainment personnel, wait staff, or other service personnel on board a passenger vessel not engaged in foreign service, with no duties, including emergency duties, related to the navigation of the vessel or the safety of the vessel, its crew, cargo or passengers; or